

Mr. HOYER. Mr. Chairman, I, too, thank the gentleman for this amendment. As the gentleman may know, there have been similar amendments that the gentleman from Virginia (Mr. WOLF) and I offered to this bill all throughout the 1980s.

This is a good amendment. Clearly, the United States needs to be on the side of ensuring that this kind of abuse does not occur to children, women, and workers generally. This is a very good amendment, and I thank the gentleman for offering it.

Mr. SANDERS. I thank the gentleman for his support as well.

Mr. ENGEL. Mr. Chairman, I want to thank my colleague for offering this Amendment—it is very much in line with one that I offered to the FY02 Agriculture bill concerning cocoa products. My amendment passed this House with 291 votes—a strong statement by this body against the repugnant practice of child slavery.

We are constantly hearing about how we are at the dawn of a new millennium—we are in the 21st Century—and that things are just great and getting better.

But, Mr. Chairman, we still have labor practices that date back centuries. Labor practices so abhorrent that we thought that they were long gone—but they still remain. Child slavery continues to plague our world—and as the world's greatest economy we are in position to use our purchasing power to end this terrible practice.

My amendment focused on child slavery in cocoa fields in the Ivory Coast. The U.S. imports 3 billion tons of cocoa each year spending \$13 billion on the chocolate industry. That means Americans do have a great deal of influence with their dollars.

Every year at Halloween our kids wander our neighborhoods in costumes to Trick or Treat. They collect dozens of chocolate treats. But, now I must wonder—will they be as sweet knowing that somewhere in the world a child is forced to work 12–14 hours in a cocoa field, is locked up for the night without adequate bathroom facilities, and is never paid. If he tries to escape he is severely beaten.

Let me quote one of the farmers about this: "If I let them go, I am losing money, because I spent money for them." He told one child "You know I spent money on you. If you try to escape, I'll catch you and beat you." This is an absolute horror.

Now the chocolate industry has responded—they are moving forward to determine the extent of the problem and to develop programs for monitoring labor practices. But I believe the federal government must act as well. The American people do not want to buy products made with child slave labor. It is wrong and we must act swiftly.

My colleague from Vermont's amendment wouldn't affect the coca industry, because cocoa products don't have a detention order on them. Yet. However, during this fiscal year, FY2001, the U.S. Customs Service has undertaken an investigation into these reports about the Ivory Coast.

Title 19 United States Code, §1307, prohibits importation of products made, in whole or in part, with the use of convict, forced, or indentured labor under penal sanctions. A general provision in the FY1998 Treasury Appropriations Act specified that merchandise

manufactured with "forced or indentured child labor" falls within this statute.

What does this mean for American growers of these products? Let me be clear—by not enforcing existing law, it means that the federal government is putting our farmers automatically at a competitive and economic advantage.

So I urge my colleagues to support this amendment for two reasons—first and foremost because there is just no reason for child slavery in our world. Second, because American farmers shouldn't be put out of business because of other country's non-existent labor standards.

I have said it before, but it bears repeating, we must be ever vigilant in our fight against child slave labor. Support the Sanders Amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The amendment was agreed to.

Mr. ISTOOK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. GUTKNECHT, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

#### LIMITATION ON CERTAIN AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2590, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that during consideration of the amendments numbered 5, 7, and 8 in the Committee of the Whole, pursuant to House Resolution 206:

One, the amendment numbered 7 shall immediately follow disposition of, or postponement of further proceedings on, the amendment numbered 5;

Two, the amendment numbered 5 shall be subject only to the amendment by the gentleman from Arizona (Mr. FLAKE) that I have placed at the desk;

Three, the amendment numbered 7 shall be subject only to one substantive amendment;

Four, the amendments numbered 5 and 7, and each specified amendment thereto, each shall be debatable for 20 minutes equally divided and controlled by the proponent and an opponent, except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any of those pending amendments; and

Five, debate on the amendment numbered 8, and all amendments thereto, shall be limited to 1 hour, equally divided and controlled by the proponent and an opponent.

The SPEAKER pro tempore. The Clerk will report the amendment to be offered by the gentleman from Arizona (Mr. FLAKE).

The Clerk read as follows:

Amendment offered by Mr. FLAKE as a substitute for the amendment offered by Mr. SMITH of New Jersey:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 644. (a) None of the funds made available in this Act may be used to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction.

(b) The limitation established in subsection (a) shall not apply to transactions in relation to any business travel covered by section 515.560(g) of such part 515.

Mr. ISTOOK (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Oklahoma?

Mr. HOYER. Mr. Speaker, reserving the right to object, and I will not object, I will say that we have discussed this unanimous consent request and the minority agrees.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

#### TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 206 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2590.

□ 1524

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, with Mr. GUTKNECHT (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole House rose earlier today, the amendment offered by the gentleman from Vermont (Mr.

SANDERS) had been disposed of and the bill was open for amendment from page 68 line 3 through page 95 line 16.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE  
OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 9 offered by the gentleman from Washington (Mr. INSLEE) and the amendment offered by the gentleman from New York (Mr. HINCHEY).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 9 OFFERED BY MR. INSLEE

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 9 offered by the gentleman from Washington (Mr. INSLEE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 141, noes 285, not voting 7, as follows:

[Roll No. 268]

AYES—141

Ackerman	Hinojosa	Oliver
Allen	Holt	Owens
Andrews	Honda	Pallone
Baca	Hooley	Pascarell
Baird	Hoyer	Pastor
Baldacci	Inslee	Payne
Baldwin	Jackson (IL)	Pelosi
Barcia	Jackson-Lee	Pomeroy
Barrett	(TX)	Price (NC)
Becerra	Jefferson	Rangel
Berkley	John	Rivers
Berry	Jones (OH)	Roemer
Bishop	Kaptur	Rothman
Bonior	Kennedy (RI)	Roybal-Allard
Boswell	Kildee	Rush
Boyd	Kind (WI)	Sanchez
Brady (PA)	Kleczka	Sanders
Brown (FL)	LaFalce	Sandlin
Brown (OH)	Langevin	Sawyer
Capps	Lantos	Schakowsky
Capuano	Larsen (WA)	Schiff
Carson (OK)	Larson (CT)	Sherman
Clay	Lee	Shows
Clement	Levin	Slaughter
Coyne	Lewis (GA)	Smith (WA)
Crowley	Lofgren	Solis
Davis (CA)	Lowey	Spratt
Davis (IL)	Luther	Stark
DeFazio	Maloney (CT)	Strickland
DeGette	Maloney (NY)	Tanner
DeLauro	Markey	Tauscher
Deutsch	Matheson	Taylor (MS)
Dingell	McCarthy (MO)	Thompson (MS)
Doggett	McCollum	Thurman
Edwards	McDermott	Towns
Eshoo	McGovern	Turner
Etheridge	McKinney	Udall (CO)
Farr	Meehan	Udall (NM)
Fattah	Meek (FL)	Velazquez
Filner	Meeks (NY)	Visclosky
Ford	Menendez	Waters
Frank	Millender-	Watson (CA)
Frost	McDonald	Watt (NC)
Gephardt	Miller, George	Waxman
Green (TX)	Moran (VA)	Weiner
Gutierrez	Napolitano	Woolsey
Harman	Neal	Wu
Hinchey	Obey	

NOES—285

Abercrombie	Goodlatte	Osborne
Aderholt	Gordon	Ose
Akin	Goss	Otter
Armey	Graham	Oxley
Bachus	Granger	Paul
Baker	Graves	Pence
Ballenger	Green (WI)	Peterson (MN)
Barr	Greenwood	Peterson (PA)
Bartlett	Grucci	Petri
Barton	Gutknecht	Phelps
Bass	Hall (OH)	Pickering
Bentsen	Hall (TX)	Pitts
Bereuter	Hansen	Platts
Berman	Hart	Pombo
Biggert	Hastings (FL)	Portman
Blirakis	Hastings (WA)	Pryce (OH)
Blagojevich	Hayes	Putnam
Blumenauer	Hayworth	Quinn
Blunt	Hefley	Radanovich
Boehert	Herger	Rahall
Boehner	Hill	Ramstad
Bonilla	Hilleary	Regula
Bono	Hilliard	Rehberg
Borski	Hobson	Reyes
Boucher	Hoefel	Reynolds
Brady (TX)	Hoekstra	Riley
Brown (SC)	Holden	Rodriguez
Bryant	Horn	Rogers (KY)
Burr	Hostettler	Rogers (MI)
Burton	Houghton	Rohrabacher
Buyer	Hulshof	Ros-Lehtinen
Callahan	Hunter	Ross
Calvert	Hutchinson	Roukema
Camp	Hyde	Royce
Cannon	Isakson	Ryan (WI)
Cantor	Israel	Ryun (KS)
Capito	Issa	Sabo
Cardin	Istook	Saxton
Carson (IN)	Jenkins	Schaffer
Castle	Johnson (CT)	Schrock
Chabot	Johnson (IL)	Scott
Chambliss	Johnson, Sam	Sensenbrenner
Clayton	Jones (NC)	Serrano
Clyburn	Kanjorski	Sessions
Coble	Keller	Shadegg
Collins	Kelly	Shaw
Combest	Kennedy (MN)	Shays
Condit	Kerns	Sherwood
Cooksey	Kilpatrick	Shuster
Costello	King (NY)	Simmons
Cox	Kingston	Simpson
Cramer	Kirk	Skeen
Crane	Knollenberg	Skelton
Crenshaw	Kolbe	Smith (MI)
Cubin	Kucinich	Smith (NJ)
Culberson	LaHood	Smith (TX)
Cummings	Lampson	Souder
Cunningham	Largent	Stearns
Davis (FL)	Latham	Stenholm
Davis, Jo Ann	LaTourette	Stump
Davis, Tom	Leach	Stupak
Deal	Lewis (CA)	Sununu
Delahunt	Lewis (KY)	Sweeney
DeLay	Linder	Tancred
DeMint	LoBiondo	Tauzin
Diaz-Balart	Lucas (KY)	Taylor (NC)
Dicks	Lucas (OK)	Terry
Dooley	Manzullo	Thomas
Doolittle	Mascara	Thompson (CA)
Doyle	Matsui	Thornberry
Dreier	McCarthy (NY)	Thune
Duncan	McCrery	Tiahrt
Dunn	McHugh	Tiberi
Ehlers	McInnis	Tierney
Emerson	McIntyre	Toomey
Engel	McKeon	Trafficant
English	McNulty	Upton
Evans	Mica	Vitter
Everett	Miller (FL)	Walden
Ferguson	Miller, Gary	Walsh
Flake	Mink	Wamp
Fletcher	Mollohan	Watkins (OK)
Foley	Moore	Watts (OK)
Forbes	Moran (KS)	Weldon (FL)
Fossella	Morella	Weldon (PA)
Frelinghuysen	Murtha	Weller
Galleghy	Myrick	Wexler
Ganske	Nadler	Whitfield
Gekas	Nethercutt	Wicker
Ney		Wilson
Northup		Wolf
Norwood		Wynn
Nussle		Young (AK)
Gilman		Young (FL)
Goode		
Ortiz		

NOT VOTING—7

Conyers	Lipinski	Spence
Gonzalez	Scarborough	
Johnson, E. B.	Snyder	

□ 1547

Messrs. YOUNG of Alaska, WYNN, RAHALL, HILLIARD, CLYBURN, MOORE, HALL of Ohio and Mrs. CLAYTON changed their vote from “aye” to “no.”

Messrs. BERRY, FORD and BAIRD changed their vote from “no” to “aye.” So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN pro tempore (Mr. GUTKNECHT). Pursuant to clause 6 of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the remaining amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. HINCHEY

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HINCHEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 151, noes 274, not voting 8, as follows:

[Roll No. 269]

AYES—151

Ackerman	Doggett	Lampson
Allen	Edwards	Langevin
Andrews	Eshoo	Lantos
Baird	Etheridge	Larsen (WA)
Baldacci	Farr	Lee
Baldwin	Fattah	Levin
Barrett	Filner	Lewis (GA)
Becerra	Ford	Lofgren
Bentsen	Frank	Lowe
Berkley	Frost	Lucas (KY)
Bonior	Gephardt	Luther
Borski	Gordon	Maloney (CT)
Boswell	Green (TX)	Maloney (NY)
Boyd	Gutierrez	Markey
Brady (PA)	Harman	Mascara
Brown (FL)	Hastings (FL)	Matheson
Brown (OH)	Hill	McCarthy (MO)
Capps	Hinchey	McCarthy (NY)
Capuano	Hinojosa	McCollum
Carson (OK)	Hoefel	McGovern
Clay	Holt	McIntyre
Clayton	Honda	McKinney
Clement	Hoyer	Meehan
Coyne	Inslee	Meek (FL)
Crowley	Jackson (IL)	Meeks (NY)
Cummings	John	Menendez
Davis (CA)	Jones (OH)	Millender-
Davis (FL)	Kaptur	McDonald
Davis (IL)	Kennedy (RI)	Miller, George
DeFazio	Kildee	Moore
DeGette	Kilpatrick	Moran (VA)
DeLauro	Kind (WI)	Nadler
Deutsch	Kleczka	Napolitano
Dicks	Kucinich	Neal
Dingell	LaFalce	Oberstar

Obey  
Olver  
Owens  
Pallone  
Pascarell  
Payne  
Pelosi  
Pomeroy  
Price (NC)  
Rahall  
Rangel  
Rivers  
Rodriguez  
Roemer  
Rothman  
Roybal-Allard

Rush  
Sabo  
Sanders  
Sandlin  
Sawyer  
Schakowsky  
Schiff  
Scott  
Serrano  
Sherman  
Slaughter  
Smith (WA)  
Solis  
Spratt  
Stark  
Strickland

Tauscher  
Thurman  
Tierney  
Towns  
Turner  
Udall (CO)  
Udall (NM)  
Velazquez  
Visclosky  
Watson (CA)  
Waxman  
Weiner  
Wexler  
Woolsey  
Wu

Tanner  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Thune  
Tiahrt

Tiberi  
Toomey  
Traffican  
Upton  
Vitter  
Walden  
Walsh  
Wamp  
Watkins (OK)  
Watt (NC)  
Watts (OK)

Weldon (FL)  
Weldon (PA)  
Weller  
Whitfield  
Wicker  
Wilson  
Wolf  
Wynn  
Young (AK)  
Young (FL)

## NOT VOTING—8

Conyers  
Gonzalez  
Johnson, E. B.  
Lipinski  
Scarborough  
Snyder  
Spence  
Waters

## NOES—274

Abercrombie  
Aderholt  
Akin  
Armey  
Baca  
Bachus  
Baker  
Ballenger  
Barcia  
Barr  
Bartlett  
Barton  
Bass  
Bereuter  
Berman  
Berry  
Biggart  
Bilirakis  
Bishop  
Blagojevich  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bono  
Boucher  
Brady (TX)  
Brown (SC)  
Bryant  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Cardin  
Carson (IN)  
Castle  
Chabot  
Chambliss  
Clyburn  
Coble  
Collins  
Combest  
Condit  
Cooksey  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Cubin  
Culberson  
Cunningham  
Davis, Jo Ann  
Davis, Tom  
Deal  
Delahunt  
DeLay  
DeMint  
Diaz-Balart  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Evans  
Everett  
Ferguson  
Flake  
Fletcher

Foley  
Forbes  
Fossella  
Frelinghuysen  
Gallegly  
Ganske  
Gekas  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Goode  
Goodlatte  
Goss  
Graham  
Granger  
Graves  
Green (WI)  
Greenwood  
Grucci  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hansen  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Herger  
Hilleary  
Hilliard  
Hobson  
Hoekstra  
Holden  
Hoolley  
Horn  
Hostettler  
Houghton  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Isakson  
Israel  
Issa  
Istook  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
Johnson (CT)  
Johnson (IL)  
Johnson, Sam  
Jones (NC)  
Kanjorski  
Keller  
Kelly  
Kennedy (MN)  
Kerns  
King (NY)  
Kingston  
Kirk  
Knollenberg  
Kolbe  
LaHood  
Largent  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lewis (CA)  
Lewis (KY)  
Linder  
LoBiondo  
Lucas (OK)  
Manzullo  
Matsui  
McCrery  
McDermott  
McHugh

McInnis  
McKeon  
McNulty  
Mica  
Miller (FL)  
Miller, Gary  
Mink  
Mollohan  
Moran (KS)  
Morella  
Murtha  
Myrick  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Ortiz  
Osborne  
Ose  
Otter  
Oxley  
Pastor  
Paul  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pitts  
Platts  
Pombo  
Portman  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Ramstad  
Regula  
Rehberg  
Reyes  
Reynolds  
Riley  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Roukema  
Royce  
Ryan (WI)  
Ryun (KS)  
Sanchez  
Saxton  
Schaffer  
Schrock  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shays  
Sherwood  
Shimkus  
Shows  
Shuster  
Simmons  
Simpson  
Skeen  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Souder  
Stearns  
Stenholm  
Stump  
Stupak  
Sununu  
Sweeney  
Tancredo

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

## PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas.  
Mr. Chairman, on rollcall Nos. 268 and 269—  
Insee amendment and Hinchey amendment—I  
was detained in a Senate meeting on Election  
Reform. Had I been present, I would have  
voted “yea” on both.

The CHAIRMAN pro tempore (Mr.  
GUTKNECHT). Pursuant to the order of  
the House of today, during consider-  
ation of the amendments numbered 5, 7  
and 8, the following order shall apply:

(1) The amendment numbered 7 shall  
immediately follow disposition of, or  
postponement of further proceedings  
on, the amendment numbered 5.

(2) The amendment numbered 5 shall  
be subject only to the amendment by  
the gentleman from Arizona (Mr.  
FLAKE) that has been placed at the  
desk.

(3) The amendment numbered 7 shall  
be subject only to one substantive  
amendment.

(4) The amendments numbered 5 and  
7, and each specified amendment there-  
to, each shall be debatable for 20 min-  
utes, equally divided and controlled by  
the proponent and an opponent except  
that the chairman and ranking minor-  
ity member of the Committee on Ap-  
propriations, or a designee, each may  
offer one pro forma amendment for the  
purpose of further debate on any of  
those pending amendments.

(5) Debate on the amendment num-  
bered 8, and all amendments thereto,  
shall be limited to 1 hour, equally di-  
vided and controlled by the proponent  
and an opponent.

## AMENDMENT OFFERED BY MR. WYNN

Mr. WYNN. Mr. Chairman, I offer an  
amendment.

The Clerk read as follows:

Amendment offered by Mr. WYNN:

At the end of the bill (preceding the short  
title) insert the following new section:

SEC. \_\_\_\_ . None of the funds made available  
in this Act may be used to initiate the pro-  
cess of contracting out, outsourcing,  
privatizing, or converting any Federal Gov-  
ernment services in contravention of Public  
Law 105-270.

Mr. ISTOOK. Mr. Chairman, I ask  
unanimous consent that all debate on  
this amendment be limited to 10 min-  
utes, equally divided and controlled by  
the proponent and an opponent.

The CHAIRMAN pro tempore. Is  
there objection to the request of the  
gentleman from Oklahoma?

There was no objection.

□ 1600

Mr. WYNN. Mr. Chairman, I yield  
myself such time as I may consume.

Mr. Chairman, I rise in support of  
this amendment to focus on a problem  
facing our government, and that is un-  
regulated and uncontrolled out  
sourcing, or, as it is sometimes called,  
privatization. The amendment specifi-  
cally says that in contracting out,  
privatizing or otherwise giving Federal  
work to the private sector, that we ad-  
here to existing law, Public Law 105-  
270.

This law, known as the FAIR Act,  
the Federal Activities Inventory Re-  
form Act of 1998, basically says that  
whenever there should be an  
outsourcing, there shall also be a com-  
petition to determine that the tax-  
payer gets best value, best value in  
terms of quality and in terms of cost.  
Unfortunately, we find Federal agen-  
cies are not adhering to the FAIR Act;  
they are outsourcing without this con-  
trol mechanism, and what we further  
find is that this outsourcing has not  
been beneficial to the taxpayer.

Let me give you an example. In the  
fiscal year 2000 Defense Appropriations  
bill, my Republican colleagues wrote,  
“There is no clear evidence that the  
current DOD outsourcing and privat-  
ization effort is reducing the cost of  
support functions within DOD with  
high cost contractors simply replacing  
government employees. In addition,  
the current privatization effort appears  
to have created serious oversight prob-  
lems for DOD, especially in those cases  
where DOD has contracted for financial  
management and other routine admin-  
istrative functions.”

My point is, there is no evidence that  
outsourcing is, per se, better than Fed-  
eral employees. The United States Gov-  
ernment has a great resource in its  
Federal employees. We also have a  
great resource in private sector com-  
panies. We ought to have a competition  
in which Federal employees can com-  
pete against private companies for  
those jobs that are considered for being  
contracted out.

That is what this bill would do. It is  
quite simple. It would give the tax-  
payer best value, both in terms of qual-  
ity and in terms of cost. It merely re-  
quires the agencies to abide by our cur-  
rent law, which requires competition.

Mr. Chairman, I reserve the balance  
of my time.

Mr. TOM DAVIS of Virginia. Mr.  
Chairman, I rise to oppose the amend-  
ment and claim the time in opposition.

The CHAIRMAN pro tempore (Mr.  
THORNBERRY). The gentleman from Vir-  
ginia is recognized for 5 minutes.

Mr. TOM DAVIS of Virginia. Mr.  
Chairman, I yield myself such time as  
I may consume.

Mr. Chairman, I certainly agree with  
some of the things my colleague said in  
terms of outsourcing and trying to  
make it so it is not uncontrolled and  
unpredictable. The difficulty with this

amendment is that it does not just implement the FAIR Act, the Federal Activities Inventory Reform Act. That act applied only to commercial activities.

This act, if you read the language, says none of the funds made available may be used to initiate the process of contracting out, outsourcing, privatizing, converting any Federal Government services.

This applies to IT functions, it applies to SEAT management, it applies to ship construction, it applies to Javits-Wagner-O'Day functions, engineering functions. What it does in these functions under the current regulations as they are written is we will have to use the A-76 process in terms of going out sourcing any of these.

The A-76 process is used in only 2 percent of DOD contracts, and in almost no civilian contracts, because it is a 2-year process. This would basically freeze outsourcing in non-commercial areas, something the FAIR Act was not intended to apply to originally.

This amendment, in my judgment, is going to hinder and possibly shut down segments of the Federal Government's operations because we do not have in many of these areas of high expertise information technology, engineering, the in-house capability to perform them.

Last year Congress mandated that GAO create the Commercial Activities Panel to study the policies and procedures governing the transfer of the Federal Government's commercial activities from its employees to contractors.

This panel is going to report back to Congress in May, next year, with recommendations for improvements. I believe that Congress should await the results of this review before we start to legislate on that issue.

So it is for those reasons that I would urge my colleagues to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. WYNN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to comment on a couple points made by my good friend and colleague from Northern Virginia. First of all, it should be clearly understood, this amendment would not affect any existing contracts. Any existing contracts, commercial or non-commercial, are not affected by this bill.

Second, this bill is current law. Now, the gentleman may be correct in some respects that current law does not work as well as we would like, but that is not unique to this body, unfortunately; and efforts are under way to streamline current law. But it is current law; and it does say before you out source, you should have competition.

We regularly come to the floor and talk about the benefits to the taxpayer of greater competition. There should be more competition. Does the process

take too long? Not necessarily, when you consider the length of some of the contracts involved, 3-year, 5-year contracts. The process is a reasonable process that gives Federal employees a fair opportunity.

If Federal employees are not performing some of these IT functions now, there would be no competition between Federal employees; it would be competition purely between private sector versus private sector. On the other hand, however, if Federal employees are performing these functions now and if they are doing a good job by virtue of both the cost that they charge to the Government as well as the quality that they provide based on their experience, then they should have the opportunity to compete to perform that contract as against a private sector company that is applying for that contract for the first time and may not be able to provide the same value.

I believe this is a reasonable approach.

Mr. Chairman, I reserve the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Chairman, I thank the gentleman for yielding me time and also rise in opposition to this Wynn amendment.

Mr. Chairman, the fact of the matter is that the gentleman from Maryland (Mr. WYNN) has been honest about his objections. The gentleman from Maryland (Mr. WYNN) does not like outsourcing. The gentleman from Maryland (Mr. WYNN) wants to try and stop outsourcing as it is occurring across the Federal Government today, and several weeks ago we were in a hearing where we attempted to talk about not only the impact, but also how things are occurring in the marketplace today as a result of the FAIR Act.

I oppose this amendment because I believe that we are waiting to find out what the results really are. The hearing that we held offered an opportunity for both sides to provide input.

I believe what this will do today is to shortcut a process that had begun several years ago, where we are waiting to find out the real-life examples about how well outsourcing can take place, to where not only the effect of saving money, but also utilizing the most cost-effective services, to where we can allow agencies to go and do those things that are their core competency and to engage themselves in the effectiveness for government, is what we are after.

I support the gentleman from Virginia (Mr. TOM DAVIS). I think what the gentleman from Virginia (Chairman DAVIS) is talking about is defeating the Wynn amendment because it is shortcutting, short-circuiting, our ability to hear back a report that is due to us, where we can make a decision based on the facts of the case and what we are presently doing.

The CHAIRMAN pro tempore (Mr. SHIMKUS). Each side has 1½ minutes remaining. Because the gentleman from Virginia (Mr. TOM DAVIS) is not a member of the committee, the gentleman from Maryland (Mr. WYNN) has the right to close the debate.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I am very much troubled by an article that was written by Steve Kelman, who was President Clinton's Director of Federal Procurement Policy in the White House. Many may know Steve. Mr. Kelman says,

This is not a pretty picture. If this was passed, it could literally grind government to a halt. What TRAC does is enormously expand the scope of the Office of Management and Budget's Circular A-76, and it will include services that have always been contracted out in the past. It particularly affects telecommunications services and information technology. It is a troubling procedure that almost exclusively focuses on costs, rather than best value, and demands huge investments of time and resources.

I think that is a troubling assessment from somebody who understands the issue.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I want my friend from Maryland to know I stand in opposition, but reluctant opposition, because I too see a lot of imperfections with the A-76 study approach. I see a lot of families getting booted in midlife, mid-career, and often the subcontractors come back and rebill their costs. So I see a lot of imperfections with it.

But I do think one of the problems with TRAC and the reason I have not cosponsored it is because, as the gentleman from Virginia (Mr. TOM DAVIS) says, you have engineering, a lot of subcontracting, and routine maintenance and security issues which the Federal Government under this legislation would not be able to farm out, and those are things the Federal Government needs to do.

I want to wait for the study, but I wanted my friend from Maryland to know I want to work with him in the future, but it is important to wait for the study.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I also want to pay tribute to my friend from Maryland, who I honor and look forward to working with; but on this issue we have to agree, this amendment is opposed by the ITAA, the American Electronics Association, the Professional Services Council, and, of course, the administration.

What this does is expand what is currently reserved for commercial activities, to Javits-Wagner-O'Day Act, to recompetes in many sources cases. This could grind outsourcing to a halt. That